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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,735	03/30/2001	Jiming Sun	42390P10450	7299
8791	7590	10/07/2005	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			DELGADO, MICHAEL A	
			ART UNIT	PAPER NUMBER
			2144	
DATE MAILED: 10/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/822,735

Applicant(s)

SUN ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/13/01 2/20/02 8</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/30/2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-13, 15-23, and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Pub. US2002/0081027A1 (Sec. 0018) and US 6,549,675 (that is

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incorporated by reference) by Chatterjee and US Patent 6,847,365 by Miller et al in view of US 6,697,352 by Ludwig et al.

In regards to claims 1 and 8, Chatterjee disclosed apparatus comprising:

an encoder to encode data having a first format into a string of data having a second format (Chatterjee Sec.0016, 0018), the first and second formats being different (Chatterjee Sec. 0016, 0018);

a packetizer coupled to the encoder to packetize the string of data into at least one packet having a header (Chatterjee Sec.0016, 0021) ( US 6,549,675 Col 16, lines 14-16) ; and

a decoder coupled to the packetizer to decode the at least one packet back into the data having the first format (Chatterjee Sec.0020, 0023, and Fig: 3)

but does not explicitly teach about a management layer that is coupled to the encoder that process data in a first format from an input device using a processing function , the processing function being enable or disable using a configuration user interface. Nor teach the header identifying the first format. Chatterjee invention teaches about a method of transporting of digital ink using a packet with a header (Chatterjee Sec.0018 and Fig. 2)(US 6,549,675 Col 16, lines 14-16) but does not extend itself to handling other formats. Ludwig teaches about a system for processing data of more than one format (abstract). The need for handling more than one format using the same infrastructure is well know in the art, which is demonstrated by an IP header being able to carry the identity of the type of protocol it is transported as disclosed by Ludwig (Col 6, lines 45-65). This is consistent with the standard of the internet, which was the medium of choice used by Chatterjee (Chatterjee Sec.0019). Miller teaches about a method for

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efficient processing of multimedia data. By selectively configuring one of the media processing elements (encoder) base on the format that was being presented, Miller was able to use the same infrastructure to support multiple formats (Col 19, lines 45-65).

It would have been obvious at the time of the invention for some one of ordinary skill to improve on Chatterjee invention by using the combine method of Ludwig and Miller, which allows the infrastructure of Chatterjee invention to be extended to accommodate multiple formats.

In regards to claims 2, Chatterjee , Ludwig and Miller combined, disclosed wherein the decoder comprises a detector to detect the second format and a converter to convert the string of data back Into the data having the first format. (Chatterjee Sec.0023)

In regards to claims 3 and 8, Chatterjee , Ludwig and Miller combined, disclosed at least one packet is transmitted to a network supporting the second format. This function is realized because packetized messages may be sent as text in an e-mail message. (Chatterjee Sec.0016)

In regards to claim 5, Chatterjee , Ludwig and Miller combined, disclosed wherein the second format is an American Standard Code of Information Interchange (ASCII) format. (Chatterjee Sec.0016, 0018)

In regards to claim 6, Chatterjee , Ludwig and Miller combined, disclosed wherein the data having the first format is ink input data. (Chatterjee Sec.0016)

In regards to claim 7, wherein the ink input data is obtained from is one of a touch-screen, a digitizer, a tablet, and a mouse. The applicant admits "it is well known to capture hand written input in an electronic form by capturing information associated with the movement of an electronic pen on a tablet." ( Chatterjee Sec. 0018) (US 6,549,675 Col 4, lines 20-30) included by reference).

In regards to claim 9 and 19, Chatterjee , Ludwig and Miller combined, teaches about an apparatus of claim 8 [18] wherein the processing function is one of a filter, an interpolation, a smoothing , a data reduction, a compaction, a compression an encryption and handwriting recognition (Col 4 line 60-Col 5 line 20).

In regards to claim 10 and 20, Chatterjee , Ludwig and Miller combined, teaches about an apparatus of claim 8 [19] further comprising an interface layer coupled to the packetizer to process the at least one packet into one of an instant message, a chat message, and e-mail message (Chatterjee Sec.0019).

Claims 11 and 18 are the methods to the apparatus of claim 1 and 8 and are rejected for the same reason.

In regards to claims 12, Chatterjee , Ludwig and Miller combined, disclosed wherein the decoding comprises detecting the second format and converting the string of data into the data having the first format. (Chatterjee Sec.0023)

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In regards to claims 13, Chatterjee , Ludwig and Miller combined, disclosed wherein the at least one packet is transmitted to a network supporting the second format This function is realized because packetized messages may be sent as text in an e-mail message. (Chatterjee Sec.0016)

In regards to claim 15, Chatterjee , Ludwig and Miller combined, disclosed wherein the second format is an American Standard Code of Information Interchange (ASCII) format. (Chatterjee Sec., 0016, 0018)

In regards to claim 16, Chatterjee , Ludwig and Miller combined, disclosed wherein the data having the first Format is ink input data. (Chatterjee Sec.0016)

In regards to claim 17, Chatterjee , Ludwig and Miller combined, disclosed wherein the ink input data is obtained from is one of a touch-screen, a digitizer, a tablet, and a mouse. The applicant admits "it is well known to capture hand written input in an electronic form by capturing information associated with the movement of an electronic pen on a tablet." ( Chatterjee Sec. 0018) (US 6,549,675 Col 4, lines 20-30) included by reference).

Claims 21 and 28 are the computer program for the apparatus of claim 1 and claim 8 respectively and are rejected for the same reason.

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In regards to claims 22, Chatterjee , Ludwig and Miller combined, disclosed wherein the computer readable program code for decoding comprises computer readable program code for detecting the second format and converting the string of data into the data having the first format. (Chatterjee Sec.0023)

In regards to claim 23, Chatterjee , Ludwig and Miller combined, disclosed wherein the at least one packet is transmitted to a network supporting the second format. This function is realized because packetized messages may be sent as text in an e-mail message. (Chatterjee Sec.0016)

In regards to claims 25, Chatterjee , Ludwig and Miller combined, disclosed wherein the second format is an American Standard Code of information Interchange (ASCII) format. (Chatterjee Sec.0016,0018)

In regards to claim 26, Chatterjee , Ludwig and Miller combined, disclosed wherein the data having the first format is an ink-input data. (Chatterjee Sec.0016)

In regards to claim 27, wherein the ink input data is obtained from is one of a touch-screen, a digitizer, a tablet, and a mouse. The applicant admits "it is well known to capture hand written input in an electronic form by capturing information associated with the movement of an electronic pen on a tablet." ( Chatterjee Sec. 0018) (US 6,549,675 Col 4, lines 20-30) included by reference).



Claims 4, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatterjee , Ludwig and Miller as applied to claims 1-3, 5-13, 15-23, and 25-30 above, and further in view of Herbert, Jr. (U.S. Patent No. 6,741,749) hereinafter referred to as Herbert.

Chatterjee teaches encoding and decoding electronic ink data (first format) into ASCII text (second format). Chatterjee also teaches formatting ink data into packets and transmitting ASCII encoded ink data across a network using electronic mail (abstract) but doesn't specifically disclose apparatus, method, or computer program product "wherein the network comprises an instant messaging (IM) infrastructure" (transmitting ink data across an instant messaging infrastructure).

Herbert teaches that it is often desirable to capture ink data (handwritten information) so that it may be incorporated into e-mail messages, facsimiles, and instant messages. (Column 5, lines 1-5)

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the teachings of Chatterjee with the teachings of Herbert to expand the number of transport mechanism for transmitting ink data.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to

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applicant's disclosure.

Hendricks et al (U.S. Pat. App. Pub. 2003/0163525 A1) teaches a system and method for transmitting ink instant messaging with active annotation.

Becker et al (U.S. Pat. App. Pub. 2002/0130904 A1) teaches a method and apparatus for communicating graphical and text information.

Ditzik (U.S. Pat. No. 6,415,256 131) teaches a handwriting recognition system.

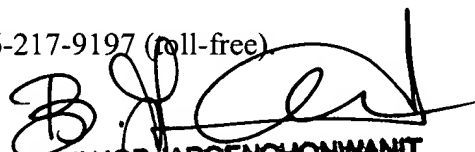
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
MD

  
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PRIMARY EXAMINER